

**FILED**

DEC 29 2009

**EUGENE R. WEDOFF,  
BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:

**KDK, INC. D/B/A VIVO RESTAURANT**

**Debtor.**

**Case No. 09 B 09893**

**Chapter 11**

**FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER AWARDING TO  
QUERRY & HARROW, LTD., ATTORNEYS FOR THE DEBTOR, FOR ALLOWANCE AND PAYMENT  
OF FINAL COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TOTAL FEES REQUESTED:	<b>\$27,325.50</b>	TOTAL COSTS REQUESTED:	<b>\$373.20</b>
TOTAL FEES REDUCED:	<b>\$0.00</b>	TOTAL COSTS REDUCED:	<b>\$107.10</b>
TOTAL FEES ALLOWED:	<b>\$27,325.50</b>	TOTAL COSTS ALLOWED:	<b>\$266.10</b>

**TOTAL FEES AND COSTS ALLOWED: \$27,591.60**

THE COURT HAS MARKED THE ATTACHED TIME AND EXPENSE ENTRIES THAT HAVE BEEN DISALLOWED IN WHOLE OR IN PART. THE BASIS FOR EACH DISALLOWANCE IS DISCLOSED BY THE NUMERICAL NOTATION THAT APPEARS ON THE LEFT SIDE OF EACH HIGHLIGHTED ENTRY. THE NUMERICAL NOTATIONS REFER TO THE ENUMERATED PARAGRAPHS BELOW.

**(1) Reimbursement Limited to Actual, Necessary Expenses**

The Court denies the allowance of reimbursement for expenses that were not actually and necessarily incurred by the applicant. *See* 11 U.S.C. §§ 330(a)(1)(B) & 331. The fee application fails to demonstrate that the requested expenses for photocopies or facsimiles (or both) were actual out-of-pocket disbursements and that the quoted rates were necessary in light of prevailing (and lower) commercial rates. In the absence of such proof, the Court will allow reimbursement of photocopy expenses at a rate of \$.10 per page in accordance with prevailing commercial rates and will not allow expenses for facsimiles.

Dated: December 29, 2009

  
Eugene R. Wedoff  
United States Bankruptcy Judge

# Querrey & Harrow

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Tax I.D. No. 36-2777440

Please provide invoice number on remittance check

RE: KDK, Inc. Chapter 11 Bankruptcy

MATTER NUMBER - 39937

## FEES SUMMARY BY TIMEKEEPER

Name (Initials)	Hours	Rates	Total
Kathryn C. Sheldon(KCS)	.30	85.00	25.50
	45.60		14,689.00

TOTAL HOURS

90.10

Total Fees

27,325.50

## TASK

## COSTS

8/26/09	Chase Card Courts/USBC 08/26/09	26.00
9/10/09	Chase Card Courts/USBC 09/10/09	26.00
SUB TOTAL COST		52.00

## Costs

COST	8/21/09	IST Photocopying Expense, Qty: 264 Copies @ 10 cents/page .15 Per Copy for plan, disclosure statement and ballot package	<del>39.60</del> \$26.40
COST	8/27/09	IST Photocopying Expense, Qty: 1878 Copies @ .15 Per Copy for plan, disclosure statement and ballot package	<del>281.70</del> \$187.80

SUB TOTAL COST

321.30

TOTAL COSTS

373.30